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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,094	10/08/2003	Yasushi Kasai	03500.017624.	4435

5514 7590 08/24/2009

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EXAMINER	
CUTLER, ALBERT H	
ART UNIT	PAPER NUMBER
2622	

MAIL DATE	DELIVERY MODE
08/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/680,094	KASAI, YASUSHI	
	Examiner	Art Unit	
	ALBERT H. CUTLER	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 June 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *13 and 15-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13 and 15-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is responsive to communication filed on June 17, 2009.

Information Disclosure Statement

2. The Information Disclosure Statement (I.D.S.) filed May 11, 2009 was received and has been considered by the Examiner.

Response to Arguments

3. Applicant's arguments filed June 17, 2009 have been fully considered but they are not persuasive.

4. Applicant argues that the implementation of Figs. 1-2 of Amir requires two different media streams to attain the reproduction switching and fails to disclose to effect control of reproduction so as to stop reproducing the media stream if a predetermined reproduction time set in advance is passed without the tab 18 being clicked, and to continue to reproduce that media stream even if the predetermined reproduction time is passed, if the tab 18 clicked before the predetermined reproduction time is passed, as recited in the amended independent Claim 13.

5. The Examiner respectfully disagrees. Amir teaches when a user is watching a skim video comprised of a plurality of video clips, and the user clicks tab 18, then the media stream (i.e. the full length video) continues to be reproduced even if the video clip length is passed (paragraph 0023). Amir teaches in paragraph 0041 that, for instance, a skim video will play 5 seconds of continuous video (i.e. a predetermined time set in advance), and then jump to a time point 30 seconds into the video where the next video clip of the skim video is played. Therefore, if a predetermined reproduction time set in

advance is passed (i.e. 5 seconds) without the tab 18 being clicked, then the reproduction of the media stream (i.e. the full length video) is stopped, and the reproduction jumps to the next clip of the video skim. If the tab 18 is clicked before the predetermined reproduction time is passed (i.e. before 5 seconds), then the reproduction of the media stream (i.e. the full length video) is continued.

6. Applicant argues that it should be noted that the implementation of Fig. 3 is different from that of Figs. 1-2. Therefore, the tab 84 is not used in the implementation of Figs. 1-2 and the reference of Amir fails to disclose to control reproduction of the media stream in accordance with depression timing relationship of the tab 18 and the tab 84.

7. The Examiner respectfully disagrees. Figures 1 and 3 are simply different examples of display windows that can be used on the display screen (see paragraph 0022). Amir teaches that the tab 84 is used to jump between different media clips (paragraph 0027) and that the default video displayed on the monitor screen of figure 3 can be "skim video" (paragraph 0026).

8. Therefore, the rejection is maintained by the Examiner.

Claim Rejections - 35 USC § 102

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. Claims 13, 15 and 16 rejected under 35 U.S.C. 102(b) as being anticipated by Amir et al. (US 2002/0140719).

Consider claim 13, Amir et al. teaches:

An image processing apparatus comprising:

a reproducing unit which reproduces a moving image from a storage medium in accordance with a predetermined reproduction time set in advance (A video stream is displayed on a monitor (figure 1), paragraph 0022. A segment of video (i.e. a moving image) is reproduced from a first video stream during a predetermined reproduction time, which segment provides part of a summary of a full length video. See paragraphs 0004, 0022 and 0023. The moving image can be remote-stored (paragraph 0021) such as in a database (paragraph 0026). Amir teaches in paragraph 0041 that, for instance, a skim video will play a 5 second segment of continuous video (i.e. a predetermined time set in advance), and then jump to a time point 30 seconds into the video where the next video segment of the skim video is played.); and

a determining unit which determines whether a predetermined button is pressed, during reproduction of the moving image by said reproducing unit, wherein if the predetermined reproduction time set in advance is passed without said determining unit determining that a first button is pressed, said reproducing unit stops reproducing the moving image, and if said determining unit determines that the first button is pressed before the predetermined reproduction time set in advance is passed, said reproducing unit continues to reproduce the moving image even if the predetermined reproduction time is passed (Amir teaches when a user is watching a skim video comprised of a plurality of video segments, and the user clicks tab 18, then the media stream (i.e. the full length video) continues to be reproduced even if the video segment length is passed

(paragraph 0023). Amir teaches in paragraph 0041 that, for instance, a skim video will play 5 seconds of continuous video (i.e. a predetermined time set in advance), and then jump to a time point 30 seconds into the video where the next video clip of the skim video is played. Therefore, if a predetermined reproduction time set in advance is passed (i.e. 5 seconds) without the tab 18 being clicked, then the reproduction of the media stream (i.e. the full length video) is stopped, and the reproduction jumps to the next segment of the video skim. If the tab 18 is clicked before the predetermined reproduction time is passed (i.e. before 5 seconds), then the reproduction of the media stream (i.e. the full length video) is continued.),

to reproduce the moving image up to the end thereof and to start reproduction of the next still or moving image (Amir teaches that a plurality of media streams (i.e. moving images) are combined together and played as one continuous video stream, while permitting the jumping between media streams if desired, paragraph 0034.),

wherein said determining unit determines if a second button is pressed during the reproduction of the moving image continued by said reproducing unit after said determining unit determines that the first button is pressed before the predetermined reproduction time is passed, and if the second button is so pressed said reproducing unit terminates the continued reproduction of the moving image and then starts reproduction of the next still or moving image. (Amir teaches a button ("full video", 76) in figure 3 that is analogous to the button (i.e. first button, 18) in figure 1, as the button (76) enables the switching to the full video stream from, for instance, a skim video, paragraph 0026. Amir et al. teaches in figure 3 and paragraph 0026 and more

specifically in paragraphs 0027 and 0034, that at any time during the playback of the moving image a "next result" button (i.e. second button, 84) can be clicked to skip to a next moving image. Therefore, if button 76 is clicked to reproduce the entire video stream before the predetermined time is passed, and the next result button 84 is subsequently clicked, the continued reproduction of the current moving image is terminated and the reproduction of the next moving image is started.).

Amir et al. additionally teaches that the media clips may be altogether different segments which may be watched together as if combined into one continuous video (paragraph 0026), and additionally addresses the implementation of slide shows (paragraph 0004). Amir et al. also teaches of implementation in a cellular device or PDA (paragraph 0044).

Consider claim 15, and as applied to claim 13 above, Amir et al. additionally teaches a display unit (monitor, figure 1, figure 3) which displays the moving image reproduced by said reproducing unit from the storage medium, wherein said display unit displays the moving image reproduced by said reproducing unit even after the predetermined reproduction time is passed, if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed (paragraphs 0022-0024, claim 13 rationale).

Consider claim 16, and as applied to claim 13 above, Amir et al. further teaches a video signal output unit (monitor, figure 1, figure 3) which outputs the moving image

reproduced by said reproducing unit from said storage medium, wherein said video signal output unit outputs the moving image reproduced by said reproducing unit even after the predetermined reproduction time is passed, if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed (paragraphs 0022-0024, claim 13 rationale).

Claim Rejections - 35 USC § 103

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amir et al. in view of Wolf et al. (US 2004/0201688).

Consider claim 17, and as applied to claim 13 above, Amir et al. teaches that the image processing apparatus can be implemented using a computer (paragraph 0002), but does not explicitly teach that the image processing apparatus includes a digital camera.

Wolf et al. similarly teaches of an image processing apparatus (figure 1).

However, Wolf et al. additionally teaches that the image processing apparatus (figure 1) includes a digital camera (digital camera, 10, paragraph 0035).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to have the image processing apparatus taught by Amir et al.

include a digital camera as taught by Wolf et al. for the benefit of improving the versatility of the image processing apparatus by enabling the playing and storage of image files from an alternate source (Wolf et al., paragraphs 0007 and 0035).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

/Sinh Tran/
Supervisory Patent Examiner, Art Unit 2622